

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

TRUEPOSITION, INC.)	
)	
Plaintiff,)	
)	
vs.)	
)	Case No. 2:11-cv-4574 (RK)
LM ERICSSON TELEPHONE COMPANY,)	
)	
QUALCOMM INC.,)	
)	
ALCATEL-LUCENT USA INC.,)	
)	
and)	
)	
THIRD GENERATION PARTNERSHIP)	
PROJECT, a/k/a/ 3GPP)	
)	
Defendants.)	
)	
)	

STIPULATION AND ~~PROPOSED~~ ORDER REGARDING EXPERT DISCOVERY

COUNSEL FOR THE PARTIES HEREBY STIPULATE AS FOLLOWS:

1. The parties to the above-captioned litigation ("Litigation") have agreed to certain limitations on the scope of expert-related discovery and testimony for this case, as set out in this Stipulation.
2. The parties agree that expert disclosure and discovery in this Litigation is subject to the requirements and limitations of Federal Rule of Civil Procedure 26 in all respects, except that the following are not discoverable and need not be disclosed, unless they are relied upon by any Expert Witness in forming, supporting, or defending his or her opinions expressed in the Expert Witness's written report, at deposition, or at trial:

- i. oral and written communications between any Expert Witness (including to or from persons acting on behalf of the Expert Witness) and any attorney (including persons acting on behalf or at the direction of the attorney) for the party who retained that Expert Witness;
- ii. oral and written communications between any Expert Witness and any non-attorney acting on behalf of, or in affiliation or association with, the Expert Witness regarding this Litigation; and
- iii. preliminary or intermediate calculations or data runs.

3. Nothing in Paragraph 2 shall be construed to prevent deposition, hearing, or trial questions relating to the substance of the Expert Witness's opinions (including alternative theories, methodologies, variables, or assumptions that the expert may or may not have considered in formulating his or her opinions or in preparing his or her written reports).

4. Nothing in this Stipulation shall be construed to alter or change the requirements of Federal Rule of Civil Procedure 26 concerning the disclosure of the compensation to be paid to the Expert Witness and to discovery of any communications between the Expert Witness and counsel relating to compensation, the number of hours expended by the expert in preparing his or her report and testimony, or relating to the frequency and duration of the expert's meetings with counsel.

5. The parties agree to comply with this Stipulation and Order pending the Court's approval and entry of this order.

Dated: September 23, 2013

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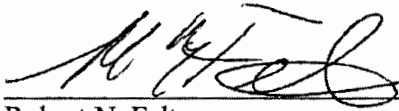
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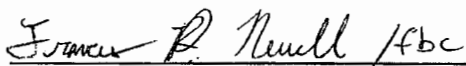
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SO ORDERED this 25th day of Sept., 2013



The Honorable Robert F. Kelly
Senior United States District Judge